



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

05 X 70840

vs.

~~Criminal No. 03-80810~~
Honorable Gerald E. Rosen

D-1 AHMAD MUSA JEBRIL,
D-2 MUSA ABDULLAH JEBRIL

Defendants.

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PRELIMINARY ORDER OF FORFEITURE

WHEREAS, the Second Superseding Indictment issued August 18, 2004, charged Defendants Ahmad Musa Jebril and Musa Abdallah Jebril with violations of 18 U.S.C. § 371, Conspiracy; 18 U.S.C. § 922(g), Felon in Possession of Firearms and Ammunition; 18 U.S.C. § 1341, Mail Fraud; 18 U.S.C. §§ 1343, 2, Wire Fraud, Aiding and Abetting; 18 U.S.C. §§ 1344, 2; Bank Fraud, Aiding and Abetting; 18 U.S.C. §§ 1956, 2, Laundering Monetary Instruments, Aiding and Abetting; 26 U.S.C. § 7203, Willful Failure To File Income Tax Returns; and Defendant Ahmad Musa Jebril with a violation of 42 U.S.C. § 408, Fraudulent Use of a Social Security Number;

WHEREAS, the Second Superseding Indictment contained Forfeiture Allegations seeking forfeiture of property constituting or derived from proceeds directly or indirectly, as the result of those violations, pursuant to 18 U.S.C. § 982(a)(2)(A), including but not limited to:

- a) Approximately \$200,000 in United States currency and all traceable interest and proceeds;

- b) An apartment building located at **1057 Victoria, Lincoln Park**, Wayne County, Michigan, more fully described as: Lots 192 through 196 and north 20 feet of lot 197, including $\frac{1}{2}$ of the adjacent vacated alley at the rear thereof, and also including $\frac{1}{2}$ vacated Marshall Avenue, lying north of lot 192; also lots 249 through 258, and $\frac{1}{2}$ of the vacated alley at the rear thereof; and also including $\frac{1}{2}$ of vacated Marshall Avenue, lying north of and adjacent to lot 258, Gleason Park Subdivision, as recorded in Liber 33, page 90, of Plats, Wayne County Records;
- c) A single family dwelling located at **6250 Faust**, Detroit, Wayne County, Michigan, more fully described as: Lot 60 and $\frac{1}{2}$ vacated alley, Rycraft Park Subdivision, as recorded in Liber 42, page 25 of Plats, Wayne County Records;
- d) A single family dwelling located at **6530 Artesian**, Detroit, Wayne County, Michigan, and further described as: Lot 35, including the adjoining vacated alley platted within West Warren Lawns Subdivision, as recorded in Liber 40, page 88 of Plats, Wayne County Records;
- e) A single family dwelling located at **6809 Plainview**, Detroit, Wayne County, Michigan, and further described as: Lot 99, Frischkorns Estate Subdivision, as recorded in Liber 42, page 93 of Plats, Wayne County Records;
- f) A single family dwelling located at **4702 Palmer**, Dearborn, Wayne County, Michigan, and further described as: Lot 289, Schaefer Heights Subdivision, as recorded in Liber 32, page 82 of Plats, Wayne County Records;
- g) A single family dwelling located at **4637 Palmer**, Dearborn, Wayne County, Michigan, and further described as: Lots 44 and 45, and $\frac{1}{2}$ the adjacent vacated alley, of Cloverdale Park Subdivision, as recorded in Liber 34, page 87 of Plats, Wayne County Records;
- h) A single family dwelling located at **4957 Rosalie**, Dearborn, Wayne County, Michigan and further described as: Lot 301, Cloverdale Park Subdivision, as recorded in Liber 34, page 87 of Plats, Wayne County Records;
- i) A single family dwelling located at **4909 Rosalie**, Dearborn, Wayne County, Michigan, and further described as: Lot 308, Cloverdale Park Subdivision, as recorded in Liber 34, page 87 of Plats, Wayne County Records;
- j) A single family dwelling located at **5815 Warwick**, Detroit, Wayne County, Michigan, and further described as: Lot 36 of Florian Taubitz Subdivision, as recorded in Liber 67, page 69 Plats, Wayne County Records;

k) A four-unit dwelling located at 12000 Sanford, Detroit, Wayne County, Michigan, and further described as: Lot 1 of Richard Campau Subdivision, as recorded in Liber 51, page 65 of Plats, Wayne County Records;

l) A single family dwelling located at 4357 St. James, Detroit, Wayne County, Michigan, and further described as: Lot 141, Nall's Subdivision, according to the plat thereof as recorded in Liber 14, page 75 of Plats, Wayne County Records; and

m) A single family dwelling located at 5745 Greenview, Detroit, Wayne County, Michigan, and further described as: The north 36.5 feet of lot 65, Assessor's Plat of Taubitz Farm Subdivision, as recorded in Liber 67, page 90 of Plats, Wayne County Records. b) An apartment building located at 1057 Victoria, Lincoln Park, Wayne County, Michigan;

WHEREAS, the Second Superseding Indictment also provided for the forfeiture of substitute assets pursuant to 21 U.S.C. § 853(p);

WHEREAS, on November 24, 2004, following a trial, a jury rendered a verdict finding both defendants guilty on all counts contained in the Second Superseding Indictment;

WHEREAS, "Abdullatie Alhussein" was established as an alias of Defendant Musa Abdullah JebriI;

WHEREAS, evidence was introduced that "Sobhie Said Salem," the individual to whom the majority of the properties were transferred, is a non-existent nominee owner to whom properties were transferred in furtherance of the conspiracy;

WHEREAS, on November 24, 2004, a jury issued a Special Verdict ordering forfeiture in accordance with the forfeiture allegation contained in the Second Superseding Indictment;

NOW THEREFORE, defendants Ahmad Musa JebriI and Musa Abdallah JebriI shall forfeit to the United States:

1. All property involved in or traceable to offenses involving 18 U.S.C. § 1956; and

2. all property constituting, or derived from, proceeds the defendants obtained directly or indirectly, as the result of such violations.

3. The jury has determined that the government established the requisite nexus between the property and the offenses committed by defendants, and therefore, the following property is subject to forfeiture:

(a) Any and all interest of defendants Ahmad Musa Jebril and Musa Abdallah Jebril in approximately \$200,000 in United States currency and all traceable interest and proceeds;

b) A single family dwelling located at **6250 Faust**, Detroit, Wayne County, Michigan, more fully described as: Lot 60 and 1/4 vacated alley, Rycraft Park Subdivision, as recorded in Liber 42, page 25 of Plats, Wayne County Records;

c) A single family dwelling located at **6530 Artesian**, Detroit, Wayne County, Michigan, and further described as: Lot 35, including the adjoining vacated alley platted within West Warren Lawns Subdivision, as recorded in Liber 40, page 88 of Plats, Wayne County Records;

d) A single family dwelling located at **6809 Plainview**, Detroit, Wayne County, Michigan, and further described as: Lot 99, Frischkorns Estate Subdivision, as recorded in Liber 42, page 93 of Plats, Wayne County Records;

e) A single family dwelling located at **4702 Palmer**, Dearborn, Wayne County, Michigan, and further described as: Lot 289, Schaefer Heights Subdivision, as recorded in Liber 32, page 82 of Plats, Wayne County Records;

f) A single family dwelling located at **4637 Palmer**, Dearborn, Wayne County, Michigan, and further described as: Lots 44 and 45, and 1/2 the adjacent vacated alley, of Cloverdale Park Subdivision, as recorded in Liber 34, page 87 of Plats, Wayne County Records;

g) A single family dwelling located at **4957 Rosalie**, Dearborn, Wayne County, Michigan and further described as: Lot 301, Cloverdale Park Subdivision, as recorded in Liber 34, page 87 of Plats, Wayne County Records;

h) A single family dwelling located at **4909 Rosalie**, Dearborn, Wayne County, Michigan, and further described as: Lot 308, Cloverdale Park Subdivision, as recorded in Liber 34, page 87 of Plats, Wayne County Records;

i) A four-unit dwelling located at **12000 Sanford**, Detroit, Wayne County, Michigan, and further described as: Lot 1 of Richard Campau Subdivision, as recorded in Liber 51, page 65 of Plats, Wayne County Records;

j) A single family dwelling located at **5745 Greenview**, Detroit, Wayne County, Michigan, and further described as: The north 36.5 feet of lot 65, Assessor's Plat of Taubitz Farm Subdivision, as recorded in Liber 67, page 90 of Plats, Wayne County Records.

Accordingly, the money judgment and these properties are hereby **FORFEITED** to the United States of America for disposition in accordance with the law, and any right, title or interest of Defendants Ahmad Musa Jebril and Musa Abdallah Jebril **ARE HEREBY AND FOREVER EXTINGUISHED**.

4. Upon entry of this Order, the United States or a designee is authorized to seize the assets described above in paragraph 3 ("Subject Property"), pursuant to Federal Rule of Criminal Procedure 32.2(b)(2) and (3), to conduct any discovery that the Court considers proper to help identify, locate, or dispose of any assets seized, and United States is authorized to begin proceedings consistent with applicable statutory requirements pertaining to ancillary hearings and the rights of any third parties.

5. The United States shall publish at least once for three successive weeks in a newspaper of general circulation, notice of this preliminary forfeiture order and of its intent to dispose of the above named property in such manner as the Attorney General may direct, pursuant to 21 U.S.C. § 853(n). Said notice shall direct that any person other than the Defendant asserting a legal interest in the property may file a petition with the Court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier. The petition shall be for a hearing before the Court alone, without a jury and in accordance with 21 U.S.C. § 853(n), to adjudicate the validity

of the petitioner's alleged interest in the property. The petition must be signed by the petitioner under penalty of perjury and must set forth the nature and extent of the petitioner's alleged right, title or interest in the property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the property, any additional facts supporting the petitioner's claim, and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person or entity known to have an alleged interest in the property.

6. Following the Court's disposition of all petitions filed, if any, upon proof of publication and notice to any persons known to have alleged an interest in the currency and upon entry of a Final Order of Forfeiture, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.

7. Pursuant to Fed.R.Crim.P. 32.3(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment. If no third party files a timely claim, this Order shall become the Final Order of Forfeiture, as provided by Fed.R.Crim.P. 32.2(c)(2).

8. Any petition filed by a third party asserting an interest in the Subject Property shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the Subject Property, the time and circumstances of the petitioner's acquisition of the right, title or interest in the Subject Property, any additional facts supporting the petitioner's claim and the relief sought.

9. After the disposition of any motion filed under Fed.R.Crim.P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil

Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.

10. The United States shall have clear title to the Subject Property following the Court's disposition of all third-party interests, or, if none, following the expiration of the period provided for the filing of third party petitions.

11. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed.R.Crim.P. 32.2(e).

12. The Clerk of the Court shall forward four certified copies of this order to Assistant U.S. Attorney Julie A. Beck, U.S. Attorney's Office, 211 West Fort Street, Suite 2001, Detroit, MI. 48226.

SO ORDERED.


HONORABLE GERALD E. ROSEN
United States District Judge

Dated:

MAR 14 2005